

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JENAIL H. NEWTON,

Plaintiff,

vs.

ANDREW SAUL, Acting  
Commissioner of Social Security,

Defendant.

Case No.: 2:18-cv-00971-GMN-EJY

**ORDER**

Pending before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Elayna Youchah, (ECF No. 32), which recommends that Plaintiff Jenail H. Newton’s Motion to Remand, (ECF No. 17), be denied. The R&R further recommends that Defendant Commissioner Nancy Berryhill’s<sup>1</sup> Cross-Motion to Affirm the Agency Decision, (ECF No. 25), be granted.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized

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<sup>1</sup> The caption reflects that Andrew Saul has been named Acting Commissioner of Social Security since Nancy Berryhill filed the Motion to Remand.

1 that a district court is not required to review a magistrate judge's report and recommendation  
2 where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114,  
3 1122 (9th Cir. 2003).

4 Here, no objections were filed, and the deadline to do so, March 11, 2020, has passed.  
5 (Min. Order, ECF No. 32).

6 Accordingly,

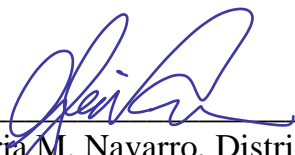
7 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 32), is  
8 **ACCEPTED AND ADOPTED in full.**

9 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Remand, (ECF No. 17), is  
10 **DENIED.**

11 **IT IS FURTHER ORDERED** that Defendant's Cross-Motion to Affirm the Agency  
12 Decision, (ECF No. 25), is **GRANTED.**

13 The Clerk is instructed to close the case.

14 **DATED** this 19 day of March 2020.

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18 Gloria M. Navarro, District Judge  
19 United States District Court  
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